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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Ianne Mae Howards Koritzinski et al.

Serial No.: 09/476,708

Filed: December 30, 1999

For: IMAGING SYSTEM PROTOCOL
HANDLING METHOD AND
APPARATUS

Group Art Unit: 3625

Examiner: Rosen, Nicholas D.

Atty. Docket: GEMS:0036--1/YOD
15-SV-5482

DUPLICATE

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37 C.F.R. 1.8

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June 7, 2004

Date _____

Brent R. Knehr

**RESPONSE TO ORDER RETURNING
UNDOCKETED APPEAL TO EXAMINER**

Dear Examiner:

This response is being filed in response to the Order Returning Undocketed Appeal to Examiner mailed on April 30, 2004. Appellants file this response to address certain matters raised in the Order that relate to the Appellants, which are discussed below.

With regard to the first issue, the required fee for the Appeal Brief filed on September 12, 2003, has not been applied against the deposit account. Based on a teleconference with Examiner Smith conducted on May 20, 2004, the charging of the required fee will be handled by the Art Unit 3625. As such, the Examiner will resolve this issue.

Serial no. 09/476,708

Response to Order Returning Undocketed Appeal to Examiner mail on June 4, 2004

Page 2

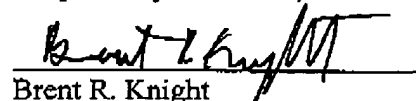
With regard to the second issue, in a response to a Non-Final Rejection mailed on November 14, 2002, page 15 of the response indicated that an attached page identified a "marked up version of the changes made to the drawings and the claims by the current amendment." As no amendments to the claims, specification, or drawings were made in that response, this paragraph was inadvertently included in the response. Accordingly, no attachments are missing from the file.

With regard to the third issue, a prior art statement and a Form 1449 with attachments are missing from the file. Attached in Appendix A is a copy of the originally filed Information Disclosure Statement along with the associated attachment. Further, Applicants have included the initialed version of the Form 1449. These copies are believed to be correct and true. As such, the Appellants have supplied all required information to the Examiner to resolve this issue for the Board.

In conclusion, the present application is believed to be ready for docketing once the Examiner handles the charging of the required fee for the Appeal Brief. In this response, Appellants have provided the requested documents and a statement regarding the missing amendments. Thus, once the payment issue is resolved by the Examiner, the present application is again ready for docketing as an appeal. Accordingly, Appellants again renew their request for favorable decision by the Board.

Date: June 7, 2004

Respectfully submitted,


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Appendix A

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Ianne Mae Howards Koritzinsky et al.

Serial No.: 09/476,708

Filed: December 30, 1999

For: IMAGING SYSTEM PROTOCOL
HANDLING METHOD AND
APPARATUS§
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Group Art Unit: 3737

Examiner: unknown

Atty. Docket: GEMS:0036—1/YOD
15-SV-5482Assistant Commissioner
for Patents
Washington, D.C. 20231

CERTIFICATE OF MAILING 37 C.F.R. 1.8	
I hereby certify that this correspondence is being deposited with the U.S. Postal Service as First Class Mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on the date below:	
March 16, 2000	<i>Kim Hennessey</i>
Date	Kim Hennessey

Sir:

**INFORMATION DISCLOSURE STATEMENT
PURSUANT TO 37 C.F.R. §§ 1.97(b)(1) AND 1.98**

In compliance with the duty of disclosure under 37 C.F.R. § 1.56(a), Applicants respectfully request that this Information Disclosure Statement be entered and that the listed references be considered by the Examiner and made of record. Copies of the listed references are enclosed for the convenience of the Examiner.

In accordance with 37 C.F.R. § 1.97, this Information Disclosure Statement is not to be construed as a representation that a search has been made, as an admission that the information cited herein is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b), or as a representation that no other possibly material information, as defined in 37 C.F.R. § 1.56(b), exists.

The following information is listed below in accordance with 37 C.F.R. § 1.98. Any explanation of non-English language documents contained in this Information Disclosure Statement is believed to constitute a concise explanation of the relevance of the listed reference as it is presently understood by the individual designated in § 1.56(c) most knowledgeable about the content of the listed reference, in accordance with 37 C.F.R. § 1.98(a)(3).

U.S. PATENTS

Patentee	Patent Number	Issue Date
Dunham et al.	4,791,565	12/13/88
Wolfe	4,796,220	1/3/89
Hershey et al.	4,924,378	5/8/90
Robert et al.	4,937,863	6/26/90
Vesel et al.	4,993,025	02/12/91
Johnson et al.	5,023,907	6/11/91
Corbin	5,138,712	8/11/92
Wyman	5,204,897	4/20/93
Wyman	5,260,999	11/9/93
Lassers	5,343,526	8/30/94
Hunter et al.	5,375,206	12/20/94
Christiano	5,386,369	1/31/95
Barber et al.	5,390,297	2/14/95
Wyman	5,438,508	8/1/95
Davis	5,473,692	12/5/95
Richardson, III	5,490,216	2/6/96
Schull	5,509,070	4/16/96
Ross et al.	5,553,143	9/3/96
Grantz et al.	5,564,038	10/8/96
Bains et al.	5,579,222	11/26/96
Plum	5,579,479	11/26/96
Pflugrath et al.	5,603,323	2/18/97
Michel et al.	5,625,690	4/29/97
Nagahama	5,636,277	6/3/97
Pinsky et al.	5,655,084	8/5/97
Christiano	5,671,412	9/23/97
Tsujii	5,675,744	10/7/97
Wood et al.	5,715,823	2/10/98
Chang et al.	5,724,425	3/3/98

Hamadani et al.	5,742,757	4/21/98
Wyman	5,745,879	4/28/98
Fosdick	5,752,041	5/12/98
Bereiter	5,754,763	5/19/98
Brandt et al.	5,758,068	5/26/98
Olsen	5,758,069	5/26/98
Barnhill et al.	5,769,074	06/23/98
Grantz et al.	5,771,347	6/23/98
Coley et al.	5,790,664	8/4/98
Higley	5,790,793	8/4/98
Lita	5,796,941	8/18/98
Akiyama et al.	5,805,699	9/8/98
Weber	5,812,668	9/22/98
Frid et al.	5,857,967	01/12/99
Lemelson et al.	5,878,746	03/09/99
Clarke et al.	5,982,917	11/09/99
Engelmann et al.	5,987,345	11/16/99

FOREIGN PATENTS

Country or Issuing Patent Office	Document Number	Publication Date
Japanese Patent Office	07200492 A	8/4/95
Japanese Patent Office	08076994 A	3/22/96
Japanese Patent Office	09069044 A	3/11/97
Japanese Patent Office	10040098 A	2/13/98
Japanese Patent Office	10320536 A	12/04/98
PCT	WO 92/20021	11/12/92
European Patent Office	0 165 789 B1	11/27/91
European Patent Office	EP 0 332 304 B1	4/10/96
European Patent Office	EP 0 384 610 B1	8/28/96
European Patent Office	0 597 599 A2	5/18/94


European Patent Office	0 613 073 A1	8/31/94
European Patent Office	0 686 906 A2	12/13/95
European Patent Office	EP 0 766 165 A2	4/2/97
European Patent Office	EP 0 809 221 A2	11/26/97
European Patent Office	EP 0 852 349 A2	7/8/98
European Patent Office	EP 0 854 418 A2	07/22/98

PUBLICATIONS

Author	Title	Relevant Pages	Date	Place of Publication
Parker, Dana J.	"Come Back, MMCD, We Hardly Knew Ye"	76-77	October 1997	Emedia Professional Center
	Spri rad (guidline or advice) 6.20, Information for medicinteknisk utrustning (Information on medico-technical equipment)		June 1977	

Respectfully submitted,

Date: March 16, 2000


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Please indicate receipt of
the below-identified paper:

☐ New application

Specification:

☐ Continuation

☐ Divisional

☐ CIP

☒ Response to Office Action dated
☒ Other Information Disclosure Statement
64 cited references

☐ Assignment enclosed

☒ Cert. Of Tim

Identification of Application:

Serial No. 09/476,708

Title Imaging System Protocol

Apparatus

Applicant Ianne Mae Howards Koritz

Client GE Medical

File No. GEMS:0036--1

Mailed 03/16/00

Filed

Please indicate receipt of
the below-identified paper:

☐ New application

Specification: Pages: Drawings: Sheets

☐ Continuation

☐ Divisional

☐ CIP

☐ CPA

☐ Response to Office Action dated

☒ Other Information Disclosure Statement
64 cited references

☐ Final Rejection

☐ Assignment enclosed

☒ Cert. Of Timely Mailing

Express Mail

Identification of Application:

Serial No. 09/476,708

Title Imaging System Protocol Handling Method and
Apparatus

Applicant Ianne Mae Howards Koritzinsky et al.

Client GE Medical

File No. GEMS:0036--1

Mailed 03/16/00

Filed

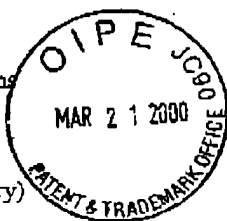
Attorney

Due Date

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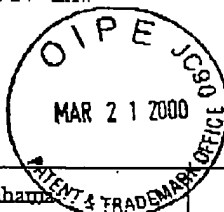
MAR 27 2000

Form PTO-1449 (modified) List of Patents and Publications For Applicant's Information Disclosure Statement (Use several sheets if necessary)	ATTY. DOCKET NO. GEMS:0036-1/YOD (15-SV- 5482)	SERIAL NO. Group 2700 09/497,708
	APPLICANT Ianne Mae Howards Koritzinsky et al.	
	FILING DATE December 30, 1999	GROUP Unknown



U.S. PATENT DOCUMENTS

EXAM. INIT.	REF. DES.	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE
WDR	A	4,791,565	12/13/88	Dunham et al.	364713	200	6/20/84
WDR	B	4,796,220	1/3/89	Wolfe	364705	900 56	12/15/86
WDR	C	4,924,378	5/8/90	Hershey et al.	364713	200 201	6/13/88
WDR	D	4,937,863	6/26/90	Robert et al.	380710	A 200	3/7/88
WDR	E	4,993,025	02/12/91	Vesel et al.	370	450	11/21/89
WDR	F	5,023,907	6/11/91	Johnson et al.	380710	A 200	9/30/88
WDR	G	5,138,712	8/11/92	Corbin	395713	700 200	10/2/89
WDR	H	5,204,897	4/20/93	Wyman	380710	A 200	7/14/92
WDR	I	5,260,999	11/9/93	Wyman	384705	A 59	9/15/92
WDR	J	5,343,526	8/30/94	Lassers	380705	A 59	10/30/92
WDR	K	5,375,206	12/20/94	Hunter et al.	395717	200 176	2/18/94
WDR	L	5,386,369	1/31/95	Christiano	384705	464-01 400	7/12/93
WDR	M	5,390,297	2/14/95	Barber et al.	385713	200 201	11/10/87
WDR	N	5,438,508	8/1/95	Wyman	364705	401 8	9/12/94
WDR	O	5,473,692	12/5/95	Davis	380705	25 59	9/7/94
WDR	P	5,490,216	2/6/96	Richardson, III	380705	A 59	9/21/93
WDR	Q	5,509,070	4/16/96	Schull	380705	A 54	12/15/92
WDR	R	5,553,143	9/3/96	Ross et al.	380705	25 59	2/4/94
WDR	S	5,564,038	10/8/96	Grantz et al.	385711	491 164	5/20/94
WDR	T	5,579,222	11/26/96	Bains et al.	395717	242 167	12/14/92
WDR	U	5,579,479	11/26/96	Phum	395713	180-01 202	10/3/94
WDR	V	5,603,323	2/18/97	Pflugrath et al.	128 600	660-01 437	2/27/96
WDR	W	5,625,690	4/29/97	Michel et al.	380705	A 53	11/15/93

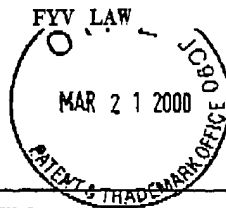


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NDR	X	5,636,277	6/3/97	Nagahama	380705	59	9/28/95
NDR	Y	5,655,084	8/5/97	Pinsky et al.	395705	3	3/1/96
NDR	Z	5,671,412	9/23/97	Christiano	395707	615	7/28/95
NDR	AA	5,675,744	10/7/97	Tsuji	395705	203	1/11/94
NDR	BB	5,715,823	2/10/98	Wood et al.	128600	660-01	9/25/96
NDR	CC	5,724,425	3/3/98	Chang et al.	380705	2552	6/10/94
NDR	DD	5,742,757	4/21/98	Hamadani et al.	395713	186200	5/30/96
NDR	EE	5,745,879	4/28/98	Wyman	705	1	9/6/95
NDR	FF	5,752,041	5/12/98	Fosdick	395717	712	12/15/95
NDR	GG	5,754,763	5/19/98	Bereiter	395713	186201	10/1/96
NDR	HH	5,758,068	5/26/98	Brandt et al.	395713	186200	9/19/95
NDR	II	5,758,069	5/26/98	Olsen	395713	186201	3/15/96
NDR	JJ	5,769,074	6/23/98	Barnhill et al.	600	300	5/2/96
NDR	KK	5,771,347	6/23/98	Grantz et al.	395713	186200	6/27/96
NDR	LL	5,790,664	8/4/98	Coley et al.	380707	4203	2/26/96
NDR	MM	5,790,793	8/4/98	Higley	395707	20048	4/4/95
NDR	NN	5,796,941	8/18/98	Lita	395713	186201	9/6/96
NDR	OO	5,805,699	9/8/98	Akiyama et al.	380705	458	10/28/96
NDR	PP	5,812,668	9/22/98	Weber	380705	2479	6/17/96
NDR	QQ	5,857,967	1/12/99	Frid et al.	600	301	7/9/97
NDR	RR	5,878,746	3/9/99	Lemelson et al.	600	407	6/6/95
NDR	SS	5,982,917	11/9/99	Clarke et al.	382	132	8/24/98
NDR	TT	5,987,345	11/16/99	Engelmann et al.	600	407	11/29/96

FOREIGN PATENT DOCUMENTS							
EXAM. INIT.	REF. DES.	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB CLASS	TRANSLATION
NDR	A	07200492 A	8/4/95	Japan	G06F	15/16	n/a
NDR	B	08076994 A	3/22/96	Japan	G06F	9/06	n/a
NDR	C	09069044 A	3/11/97	Japan	G06F	9/06	n/a
NDR	D	10040098 A	2/13/98	Japan	G06F	9/06	n/a
NDR	E	10320536 A	12/4/98	Japan	G06F	15/62	no
NDR	F	WO 92/20021	11/12/92	PCT	G06F	1/00	n/a



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NDR	G	0 165 789 B1	11/27/91	EPO	G06F	1/00	n/a
NDR	H	0 332 304 B1	4/10/96	EPO	G06F	1/00	n/a
NDR	I	0 384 610 B1	8/28/96	EPO	G06F	1/00	n/a
NDR	J	0 597 599 A2	5/18/94	EPO	G06F	1/00	n/a
NDR	K	0 613 073 A1	8/31/94	EPO	G06F	1/00	n/a
NDR	L	0 686 906 A2	12/13/95	EPO	G06F	1/00	n/a
NDR	M	0 766 165 A2	4/2/97	EPO	G06F	1/00	n/a
NDR	N	0 809 221 A2	11/26/97	EPO	G07F	17/16	n/a
NDR	O	0 852 349 A2	7/8/98	EPO	G06F	1/00	n/a
NDR	P	0 854 418 A2	12/4/98	EPO	G06F	3/16	N/a

OTHER ART (Author, Title, Journal, Volume, Pertinent Pages, & Date)			
NDR	Parker, Dana J., "Come Back, MMCD, We Hardly Knew Ye," Emedia Professional, October 1997, pages 76-77		
NDR	Spri rad (guidline or advice) 6.20, Information for medicinteknisk utrustning (Informaiton on medico-technical equipment)		
<table border="1"> <tr> <td>EXAMINER Nicholas D. Rozin</td> <td>DATE CONSIDERED Jul 15, 2002</td> </tr> </table>		EXAMINER Nicholas D. Rozin	DATE CONSIDERED Jul 15, 2002
EXAMINER Nicholas D. Rozin	DATE CONSIDERED Jul 15, 2002		
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.			

Information Disclosure Statement-PTO-1449 (Modified)

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